

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Court File No.: 24-cv-02944 (KMM- JFD)

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

EVERGREEN RECOVERY INC.;  
EVERGREEN MENTAL  
HEALTH SERVICES, INC.; ETHOS  
RECOVERY CLINIC INC.;  
SECOND CHANCES RECOVERY  
HOUSING INC.; SECOND  
CHANCES SOBER LIVING INC.;  
DAVID BACKUS; SHAWN GRYGO;  
AND SHANTEL MAGADANZ,

**DEFENDANT SHANTEL  
MAGADANZ'S ANSWER.**

Defendants.

---

**COMES NOW** Defendant Shantel Magadanzen as and for her Answer and Counterclaim in the above captioned matter:

**ANSWER.**

1. Defendant Shantel Magadanzen denies each and every allegation of Plaintiff's Complaint except as hereinafter admitted.
2. Defendant Shantel Magadanzen admits the allegations of paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 26, 27 and 30 of Plaintiff's Complaint.

3. Defendant Shantel Magadanz lacks sufficient knowledge to admit or deny the allegations of paragraphs 1, 18, 19, 20, 22 and 28 of Plaintiff's Complaint and therefore denies these allegations.
4. Defendant Shantel Magadanz denies the allegations of paragraphs 16, 17, 21, 23, 24, 25, 29 and 33 of Plaintiff's Complaint.
5. The allegations of paragraphs 31 and 32 of Plaintiff's Complaint are legal conclusions to which Defendant Shantel Magadanz need not respond, but if a response is required, Defendant Shantel Magadanz denies them.
6. Defendant Shantel Magadanz was not involved in the allegation contained in paragraph 12 of Plaintiff's Complaint, and therefore Defendant Shantel Magadanz cannot admit or deny therefore Defendant Shantel Magadanz denies as this answering Defendant was not involved in the billing issues.
7. Defendant Shantel Magadanz left the employment of the other Defendantrrs on or about July 26, 2024, so as to the past allegations contained in paragraph 15 of Plaintiff's Complaint this answering Defendant will admit, but allegations beyond July 26, 2024, this answering Defendant will therefore deny.

#### **AFFIRMATIVE DEFENSE ONE**

8. This answering Defendant was a clinical director and was not involved in every billing matter or attendance or like record keeping.

**AFFIRMATIVE DEFENSE TWO**

9. Because Defendant Shantel Magadanz is no longer employed by any other Defendant, she cannot comply with certain mandatory provisions contained in the prayer for relief.

**WHEREFORE** Defendant Shantel Magadanz prays for an order of this Court:

- a. Dismissing Plaintiff's pretended cause of action for.

**SAVAGE WESTRICK, P.L.L.P.**

Dated: August 6, 2024

**/s/ John G. Westrick**  
John G. Westrick (MN# 0206581)  
900 American Blvd. E., #241  
Bloomington, MN 55420  
Ph: 651-292-9603  
Fax: 651-395-7423  
westrick@savageswestrick.com

**ATTORNEY FOR DEFENDANT  
SHANTEL MAGADANZ**